

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

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|--------------------------|---|------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| |) | No. 3:08-CR-48 |
| V. |) | (VARLAN/SHIRLEY) |
| |) | |
| JOSE MARTINEZ |) | |
| SAUL MORENO |) | |

ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO BAIL REFORM ACT

An initial appearance and arraignment were held in this case on May 13, 2008. Tracee Plowell, Assistant United States Attorney, was present representing the government, and Russell Green, was present representing Jose Martinez and Gerald Gulley, was present representing Saul Moreno. Upon motion of the government for detention stating that the defendants are a risk of flight and are a danger to the community. The government also stated the defendants may be in the country illegally and they are not entitled to be released, and pursuant to 18 U.S.C. Section 3142, it is ordered that a detention hearing is scheduled for **Friday, May 16, 2008, at 10:30 a.m.**, before the undersigned.

For good cause shown, the defendant's request not to contest, and to waive the detention hearing is hereby **GRANTED**.

It is therefore **ORDERED** that:

- (1) Defendants be detained.;
- (2) Defendants be committed to the custody of the Attorney General for confinement in a corrections facility separate, to

the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

- (3) Defendants be afforded reasonable opportunity for private consultation with counsel; and
- (4) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States marshal for the purpose of an appearance in connection with any court proceeding.

IT IS SO ORDERED.

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge